



TOWN OF ELLINGTON

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TOWN PLANNER'S OFFICE

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ZONING BOARD OF APPEALS MEETING MINUTES

SEPTEMBER 11, 2006

PRESENT: Mary Cardin, Kenneth Braga, Mark Spurling, William Harford and Alternate Ronald Stomberg

ABSENT: Robert Palozej, Aaron Rossow and Alternates Robert Wambolt and Joseph Snyder

STAFF

PRESENT: Robert Phillips, Town Planner and Reanna Goodreau, Recording Secretary

I. CALL TO ORDER:

Chairman Cardin called the Zoning Board of Appeals (ZBA) meeting to order at 7:05 p.m. at the Ellington Town Hall Annex, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

1. #V200618—David Weeks for a variance to the Ellington Zoning Regulations, Section 6.2.7B--Landscaping: to eliminate the requirement for landscape islands in conjunction with construction of an addition and associated improvements of a lumber supply store on property located at 99 West Road, APN 028-014-0000 in a C Zone.

TIME: 7:06 p.m.

SEATED: M. Cardin, K. Braga, M. Spurling, W. Harford and R. Stomberg

Chairman Cardin reviewed the application file, noting that the applicant submitted the certificate of mailings.

David Weeks, owner of Kelly Fradet, explained that if the landscape islands were installed they would be damaged by the vehicular traffic associated with the business.

Sans Aeschliman, project surveyor, came forward to review the site plan. He explained that the dotted cross-hatched areas denote increased pavement and the lined cross hatched areas denote increased lawn/landscaped areas. Mr. Aeschliman stated that the preliminary plan had 8.9% interior landscaping, but due to the heavy vehicular traffic, the islands were removed.

Commissioner Spurling asked if the interior landscaping could be installed in any other locations and was told that they could be installed in the back of the building. Mr. Aeschliman reviewed the landscaping plan. Commissioner Spurling asked what square footage 15% landscaping would be and was told that it would be approximately 3,900 square feet.

Chairman Cardin stated that the intent of the regulation is to break up the pavement area and asked why the islands could not be installed. Mr. Aeschliman stated that inexperienced homeowners and contractors drive trailers and have trouble maneuvering the islands.

Commissioner Spurling suggested having the applicant install the equivalent to the 15% landscape islands as landscaping in front of the parking lot.

MOVED (SPURLING), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #V200618—DAVID WEEKS.

MOVED (CARDIN), SECONDED (HARFORD) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #V200618—DAVID WEEKS.

CONDITION: APPLICANT MUST PROVIDE THE SQUARE FOOTAGE EQUIVALENT TO 15% OF THE INTERIOR LANDSCAPING AS LANDSCAPING IN FRONT OF THE FRONT PARKING AREA. THE DESIGN REVIEW BOARD MUST APPROVE THE LANDSCAPING PLAN.

HARDSHIP: LOT CONFIGURATION WITH THE EXISTING USE OF PROPERTY MAKES IT IMPOSSIBLE TO INSTALL ISLANDS IN ORDER FOR THE BUSINESS TO BE USED AS IT HAS BEEN.

2. #V200619—Robert & Alberta Wambolt for an appeal of the Zoning Enforcement Officer's and/or the Town Planner's decision for apparently granting zoning permits listed as pending for a home occupation and temporary garage on property located at 104 Webster Road, APN 145-002-0000 and for a home occupation on property located at 97 Webster Road, APN 145-006-0000 in a RA Zone.

TIME: 7:25 p.m.

SEATED: M. Cardin, K. Braga, W. Harford and R. Stomberg (Recused: M. Spurling)

Chairman Cardin noted that there were only four members seated and the applicants' attorney, Martin Burke, stated that he wanted to postpone the opening of the hearing to allow for additional members. Chairman Cardin also asked Attorney Burke for the certificate of mailings and stated that his client did not receive instruction to complete a mailing.

MOVED (CARDIN), SECONDED (HARFORD) AND PASSED UNANIMOUSLY TO TABLE #V200619—ROBERT & ALBERTA WAMBOLT TO THE OCTOBER 2, 2006 MEETING PER THE APPLICANTS' ATTORNEY'S REQUEST IN ORDER TO HAVE ADDITIONAL MEMBERS PRESENT & TO ALLOW THE APPLICANT TO COMPLETE THE MAILING REQUIREMENT.

3. #V200620—John Flori for a variance to the Ellington Zoning Regulations, Section 3.2.1—Lot Area, Width & Yard Requirements and Section 2.1.10.A.1—Highway

Clearance Setback: front yard setback from 60' to 35' for a 17' x 14' sunroom on property located at 58 Sandy Beach Road, APN 151-008-0000 in a RA Zone.

TIME: 7:32 p.m.

SEATED: M. Cardin, K. Braga, M. Spurling, W. Harford and R. Stomberg

John Flori, owner, stated that he is proposing a sunroom to the rear of his home. He stated that the home was built in the 1800s.

Commissioner Spurling noted that the sunroom is further from the front property line than the existing home.

MOVED (SPURLING), SECONDED (CARDIN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #V200620—JOHN FLORI.

MOVED (SPURLING), SECONDED (CARDIN) AND PASSED UNANIMOUSLY TO APPROVE #V200620—JOHN FLORI.

HARDSHIP: HOUSE BUILT PRIOR TO ZONING

4. #V200621—Gene & Sue Sheehan for a variance to the Ellington Zoning Regulations, Section 3.2.1—Lot Area, Width & Yard Requirements: side yard setback from 15' to 5' for a 10' x 14' shed on property located at 75 Muddy Brook Road, APN 089-015-0000 in an AA Zone.

TIME: 7:35 p.m.

SEATED: M. Cardin, K. Braga, W. Harford and R. Stomberg (Recused: M. Spurling)

Chairman Cardin reviewed the application file, noting that the applicant submitted the certificate of mailings and noted the Public Works Director's comments.

Attorney Brian Smith, representing the applicants, stated that the contractors placed the shed in the wrong location. Gene Sheehan, owner, stated that he has coordinated with the Public Works Director about the damaged sidewalk.

The commission agreed to hear application. Commissioner Spurling stated that he needed to recuse himself.

Mr. Sheehan stated that he would like to continue the hearing to allow for additional members.

MOVED (CARDIN), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING FOR #V200621—GENE & SUE SHEEHAN TO THE OCTOBER 2, 2006 MEETING IN ORDER TO HAVE ADDITIONAL MEMBERS PRESENT.

IV. UNFINISHED BUSINESS: NONE

V. NEW BUSINESS: NONE

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the August 7, 2006 Meeting Minutes

MOVED (HARFORD), SECONDED (STOMBERG) AND PASSED UNANIMOUSLY TO APPROVE THE AUGUST 7, 2006 MEETING MINUTES.

2. Correspondence:

- a. Memo to Planning & Zoning Commission from Robert Phillips, dated 8/23/06 (Zoning Regulation Revisions—Part 1)
- b. CT Federation of Planning & Zoning Agencies Quarterly Newsletter, Summer 2006

SO NOTED.

MOVED (CARDIN), SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA: DISCUSSION OF ATTENDANCE AND MEMBERSHIP.

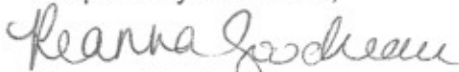
3. Discussion of Attendance and Membership

Chairman Cardin noted the need for new members. Reanna Goodreau, Recording Secretary, explained that there is an attendance policy for appointed members. She stated that only alternate members of the ZBA are appointed. Rob Phillips, Town Planner, explained that most ZBAs have five regular members, but Ellington has six.

VII. ADJOURNMENT:

MOVED (BRAGA), SECONDED (HARFORD) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 7:53 PM.

Respectfully Submitted,



Reanna Goodreau
Recording Secretary